

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 26, 2024  
Date

Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

SB24-095 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 3, strike lines 2 through 23.

2 Strike pages 4 through 8.

3 Page 9, strike lines 1 through 20 and substitute:

4 "SECTION 1. In Colorado Revised Statutes, 42-4-310, add  
5 (1)(d)(XIII) as follows:

6 **42-4-310. Periodic emissions control inspection required.**  
7 (1) (d) (XIII) NOTWITHSTANDING SUBSECTIONS (1)(d)(I) TO (1)(d)(IX)  
8 OF THIS SECTION, AN AUTHORIZED STATE REPRESENTATIVE SHALL NOT  
9 ISSUE A CERTIFICATE OF EMISSIONS WAIVER TO A MOTOR VEHICLE THAT  
10 HAS BEEN ISSUED A VOUCHER IN ACCORDANCE WITH SECTION 42-4-317  
11 UNTIL THE MOTOR VEHICLE HAS RECEIVED THE ADDITIONAL REPAIRS  
12 COVERED BY THE VOUCHER IN ACCORDANCE WITH THE RULES ADOPTED  
13 UNDER SECTION 42-4-317 OR THE MOTOR VEHICLE REPAIRS HAVE  
14 EXHAUSTED THE VOUCHER.

15 **SECTION 2.** In Colorado Revised Statutes, add 42-4-317 as  
16 follows:

17 **42-4-317. Voucher program - rules.** (1) THE EXECUTIVE  
18 DIRECTOR OF THE DEPARTMENT SHALL COORDINATE WITH THE  
19 NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE CREATED  
20 IN SECTION 43-4-1303 TO CREATE A VOUCHER PROGRAM FOR MOTOR  
21 VEHICLES THAT HAVE RECEIVED THE REPAIRS REQUIRED IN SECTION  
22 42-4-306 BUT HAVE FAILED TO BE ISSUED A CERTIFICATE OF EMISSIONS  
23 COMPLIANCE. THE VOUCHER PROGRAM MUST IDENTIFY QUALIFIED  
24 VEHICLES AND THE PROCEDURE FOR ISSUING AND REDEEMING THE  
25 VOUCHERS.

1 (2) THE VOUCHER PROGRAM MUST PROVIDE A VOUCHER WORTH  
2 EIGHT HUNDRED FIFTY DOLLARS THAT THE OWNER OF A MOTOR VEHICLE  
3 MAY REDEEM WITH A REGISTERED REPAIR FACILITY OR TECHNICIAN TO  
4 PERFORM REPAIRS TO MAKE THE MOTOR VEHICLE ELIGIBLE FOR A  
5 CERTIFICATE OF EMISSIONS COMPLIANCE.

6 (3) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT MAY  
7 PROMULGATE RULES TO IMPLEMENT THIS SECTION.

8 (4) TO IMPLEMENT THIS SECTION, THE GENERAL ASSEMBLY SHALL  
9 APPROPRIATE FUNDS FROM THE NONATTAINMENT AREA AIR POLLUTION  
10 MITIGATION ENTERPRISE FUND, CREATED IN SECTION 43-4-1303 (5).

11 **SECTION 3.** In Colorado Revised Statutes, **add 25-7-146** as  
12 follows:

13 **25-7-146. Appropriation to implement electric lawn**  
14 **equipment program - repeal.** (1) THE GENERAL ASSEMBLY SHALL  
15 APPROPRIATE ONE HUNDRED THOUSAND DOLLARS FROM THE  
16 NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE FUND,  
17 CREATED IN SECTION 43-4-1303 (5), TO THE DEPARTMENT OF PUBLIC  
18 HEALTH AND ENVIRONMENT FOR USE BY THE LEAD AIR QUALITY PLANNING  
19 AGENCY FOR THE DENVER METROPOLITAN AREA AND THE DENVER  
20 METRO/NORTH FRONT RANGE OZONE NONATTAINMENT AREA IN ORDER  
21 TO FUND A REBATE PROGRAM FOR THE REPLACEMENT OF GAS-POWERED  
22 LAWN EQUIPMENT WITH ELECTRIC LAWN EQUIPMENT.

23 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2033."

24 Renumber succeeding sections accordingly.

25 Page 9, line 25, strike "TRUCK" MEANS A TRUCK" and substitute  
26 "VEHICLE" MEANS A MOTOR VEHICLE".

27 Page 10, line 8, strike "TRUCKS," and substitute "VEHICLES,".

28 Page 11, lines 7 and 8, strike "MOTOR VEHICLES THAT EMIT LOW LEVELS  
29 OF NITROGEN OXIDES" and substitute "ELECTRIC LIGHT-DUTY VEHICLES".

30 Page 11, after line 14 insert:

31 **"SECTION 6.** In Colorado Revised Statutes, 25-7.5-103, **amend**  
32 **(9)(b)(I)** as follows:

33 **25-7.5-103. Clean fleet enterprise - creation - board - powers**  
34 **and duties - fees - fund.** (9) (b) The enterprise may provide funding or  
35 financing through grant programs, rebate programs, revolving loan funds,  
36 or such other strategies as the board finds effective:

37 (I) To help public and private owners and operators of motor

1 vehicle fleets finance electric motor vehicle acquisitions to reduce the  
2 up-front costs of acquiring electric motor vehicles, through December 31,  
3 2026, to help public and private owners and operators of motor vehicle  
4 fleets finance acquisitions of compressed natural gas motor vehicles that  
5 are trucks if at least ninety percent of the fuel for the trucks will ~~be~~ EMIT  
6 LOW LEVELS OF NITROGEN OXIDES WHEN USED TO POWER THE TRUCK,  
7 INCLUDING recovered methane, and, on and after January 1, 2027, for so  
8 long as the enterprise determines that electric motor vehicles are not yet  
9 practically available or do not meet the operational requirements such as  
10 cargo carrying capacity and driving range for specific categories of  
11 trucks, to help public and private owners and operators of motor vehicle  
12 fleets finance acquisitions of compressed natural gas motor vehicles that  
13 are trucks if at least ninety percent of the fuel for the trucks will ~~be~~ EMIT  
14 LOW LEVELS OF NITROGEN OXIDES WHEN USED TO POWER THE TRUCK,  
15 INCLUDING recovered methane;"

16 Renumber succeeding sections accordingly.

17 Page 11, line 19, strike "(2)" and substitute "(2)(a)".

18 Page 11, line 20, after "(2)" insert "(a)".

19 Page 11, line 23, strike "(a)" and substitute "(I)".

20 Page 11, line 24, strike "(b)" and substitute "(II)".

21 Page 11, after line 25, insert:

22 "(b) THE DIVISION MAY IMPLEMENT SUBSECTION (2)(a) OF THIS  
23 SECTION BY CONTRACTING WITH A RESEARCH INSTITUTION TO CONDUCT  
24 THE STUDY."

25 Page 12, after line 22 insert:

26 "SECTION 8. In Colorado Revised Statutes, 42-4-306, **amend**  
27 (3)(b)(V)(A); and **add** (3)(b)(V)(C) as follows:

28 **42-4-306. Powers and duties of commission - automobile**  
29 **inspection and readjustment program - basic emissions program -**  
30 **enhanced emissions program - clean screen program.**

31 (3) (b) (V) (A) Notwithstanding any contrary provision in the  
32 "Procurement Code", articles 101 to 112 of title 24, ~~C.R.S.~~, or this article  
33 ARTICLE 4, any contract for inspection services may be renewed for a term  
34 not to exceed two years, after which the contract may be renewed for a

1 single term of up to four years or rebid; except that inspection fees during  
2 any such four-year renewal contract ~~shall be as determined under~~ ARE  
3 SUBJECT TO section 42-4-311 (6).

4 (C) NOTWITHSTANDING ANY CONTRARY PROVISION IN THE  
5 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, OR THIS  
6 ARTICLE 4, THE DIVISION SHALL RENEGOTIATE OR RENEW A CONTRACT FOR  
7 INSPECTION SERVICES IN EXISTENCE ON JULY 1, 2024, NO LATER THAN  
8 OCTOBER 1, 2024, TO ACCOUNT FOR THE FEE ESTABLISHED IN SECTION  
9 42-4-311 (6) AS IT WILL BECOME EFFECTIVE ON THE EFFECTIVE DATE OF  
10 THIS SUBSECTION (3)(b)(I)(C) AND FOR A TERM NOT TO EXCEED FOUR  
11 YEARS, AFTER WHICH THE CONTRACT MAY BE RENEWED FOR A SINGLE  
12 TERM OF UP TO FOUR YEARS OR REBID. THE NEW CONTRACT MUST PROVIDE  
13 FOR ADDING ADDITIONAL TESTING STATIONS AND EXPANDING THE CLEAN  
14 SCREEN INSPECTION UNITS.

15 **SECTION 9.** In Colorado Revised Statutes, 42-4-311, **amend**  
16 (4)(a)(I) and (6)(a); **repeal** (6)(b); and **add** (4)(a)(III) as follows:

17 **42-4-311. Operation of inspection and readjustment stations**  
18 **- inspection-only facilities - fleet inspection stations - motor vehicle**  
19 **dealer test facilities - enhanced inspection centers.** (4) (a) (I) SUBJECT  
20 TO SUBSECTION (4)(a)(III) OF THIS SECTION, a licensed inspection and  
21 readjustment station, inspection-only facility, or motor vehicle dealer test  
22 facility shall charge a fee not to exceed fifteen dollars for the inspection  
23 of vehicles, model year 1981 and older, at facilities licensed or authorized  
24 within either the basic or enhanced emissions program; except that for  
25 1982 model and newer vehicles a test facility may charge a fee not to  
26 exceed ~~twenty-five~~ THIRTY-FIVE dollars.

27 (III) THE DIVISION SHALL ANNUALLY ADJUST FOR INFLATION OR  
28 DEFLATION THE FEES DESCRIBED IN SUBSECTION (4)(a)(I) OF THIS SECTION.  
29 THE DIVISION MAY ROUND THE ADJUSTED AMOUNT UPWARD OR  
30 DOWNWARD AS APPROPRIATE. INFLATION OR DEFLATION IS MEASURED BY  
31 THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT  
32 OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX, OR A  
33 SUCCESSOR INDEX, FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS  
34 PAID BY URBAN CONSUMERS.

35 (6) (a) The fee charged for enhanced emissions inspections  
36 performed within the enhanced emissions program area on 1982 and later  
37 motor vehicles ~~shall~~ MUST not be any greater than that determined by the  
38 contract and in no case greater than ~~twenty-five~~ THIRTY-FIVE dollars. The  
39 fee charged for clean screen inspections performed on vehicles registered  
40 in the basic area ~~shall~~ MUST not be any greater than that determined by the  
41 contract and in no case greater than fifteen dollars. ~~Such~~ THE fee ~~shall~~  
42 MUST not exceed the maximum fee required to be posted by the enhanced  
43 inspection center pursuant to section 42-4-305 for the inspection of any

1 motor vehicle required to be inspected under section 42-4-310.  
2 (b) ~~During the two-year renewal of the contract entered into~~  
3 ~~pursuant to section 42-4-307(10), the commission shall hold a hearing to~~  
4 ~~determine the maximum fee that may be charged pursuant to the contract~~  
5 ~~for inspections during any subsequent renewal term. The maximum fee~~  
6 ~~must be based on estimated actual operating costs during the life of the~~  
7 ~~contract, determined pursuant to the proceeding, plus a percentage to be~~  
8 ~~determined by the commission, not to exceed ten percent and not to~~  
9 ~~exceed twenty-five dollars."~~

10 Renumber succeeding section accordingly.

11 Page 1, strike line 103 and substitute "**STANDARDS, AND, IN CONNECTION**  
12 **THEREWITH, ENACTING INCENTIVE-BASED OZONE PRECURSOR**  
13 **EMISSIONS REDUCTION MEASURES FOR ON-ROAD MOBILE SOURCES AND**  
14 **FOR LAWN EQUIPMENT AND CONDUCTING ANNUAL PHOTOCHEMICAL**  
15 **MODELING STUDIES AND DATA ANALYSIS."**

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